

Practitioner's Docket No. 51334

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tsuchida et al.

Serial No.: 10/010,193

Filed: December 5, 2001

For: NON-CHARGING RESIN COMPOSITE AND METHOD FOR MANUFACTURING SAME



Group No.: 1773

Examiner: Not Yet Assigned

Box Missing Part
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE OF INCOMPLETE REPLY
NONPROVISIONAL APPLICATION

I. [X] This replies to the Notice of Incomplete Reply mailed 08/16/02.

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

[X] A copy of the Notice of Incomplete Reply—Filing Date Granted (Form PTO-1533) is enclosed.

[X] A Submission of Substitute Specification and Preliminary Amendment is enclosed.

SUBSTITUTE SPECIFICATION

II. [X] Substitute drawings in compliance with 37 CFR 1.84 are required; and claims commencing on a separate sheet (37CFR 1.75(h)).

Attached is:

- (a) Substitute Specification with claims commencing on Separate Sheet
- (b) Substitute Specification showing changes.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Deanna M. Rivernider
Signature

Date: 8/27/02

Deanna M. Rivernider
(type or print name of person certifying)

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(Response to Notice of Incomplete Reply—Nonprovisional Application—page 1 of 4)

EXTENSION OF TIME

III.

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. 1.136(a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a)(1)-(4), for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input type="checkbox"/> three months	\$ 920.00	\$435.00
<input type="checkbox"/> four months	\$1,390.00	\$680.00
<input checked="" type="checkbox"/> five months	\$1,960.00	\$680.00

Fee \$ 1,960.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☒ An extension for 3 months has already been secured, and the fee paid therefor \$ 400.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 1,560.00

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

IV.

The total fee due is

Completion fee(s) \$ _____
Extension fee (if any) \$ 1,560.00

Total Fee Due \$ 1,560.00

PAYMENT OF FEES

V.

- ☒ Enclosed is a check in the amount of \$ 1,560.00.
- ☐ Charge Account No. _____ in the amount of \$ _____.
A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. 1.22(b).

Please change Account No. 04-1105 for any fees which may be due by this paper.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

VI.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 CFR 1.26(a).

☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 04-1105.

- ☒ 37 C.F.R. 1.16(a), (f) or (g) (filing fees)
- ☒ 37 C.F.R. 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

- ☒ 37 C.F.R. 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 CFR 1.17(a)(1)-(5)(extension fees pursuant to § 1.136(a).
- ☒ 37 C.F.R. 1.17 (application processing fees)

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 CFR 1.136(a)(3).

- ☐ 37 C.F.R. 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. 1.311(b).

NOTE: 37 C.F.R. 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee . . ." From the wording of 37 C.F.R. 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.



SIGNATURE OF PRACTITIONER

Reg. No. 42,378

S. Matthew Cairns

(type or print name of practitioner)

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/010,193	12/06/2001	Hideki Tsuchida	51334

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CONFIRMATION NO. 2589

FORMALITIES LETTER



OC000000008640516

Date Mailed: 08/16/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 07/23/2002 to the Notice to File Missing Parts (Notice) mailed 03/18/2002 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)).
- Abstract must be on a separate sheet.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE